



COUNCIL AGENDA REPORT

FROM: Community Development Department
Prepared by: Ken Patton

CC: City Clerk
Public Information

SUBJECT: Recommendation made by the Planning Commission concerning rezoning application Z1605-001 – A portion of Tax Parcel 089E found on Tax Map # 14N09

DATE: June 21, 2016

RECOMMENDATION

The Canton Planning Commission held a public hearing on June 21, 2016 and recommended approval of rezoning case Z1604-001 to rezone a portion of Tax Parcel 089E located on Tax Map # 14N09 located between Puckett Creek Road and the northern boundary of Laurel Canyon. This recommendation was made with the suggested condition that the applicant work with the Cherokee County in terms of the roadway design at the intersection with Puckett Creek Road.

REPORT-IN-BRIEF

The Planning Commission heard a rezoning request filed by Lifestyle at Laurel Canyon, LLC to rezone +/- 3.309 acres from AG (Cherokee County) to PD-MU (City of Canton). The public hearing was held on June 20, 2016 at Canton City Hall. The rezoning request is a companion annexation petition which has also been filed. The nature of the request is to annex and rezone the subject property for the purpose of constructing a second point of ingress/egress that will be located in front of the security gate at Soleil. If approved and constructed this second entrance will satisfy the second entrance requirement for developments that contain more than 199 housing units. The annexation application does not require a public hearing.

During the public hearing there was no one in attendance that spoke either for or against this request.

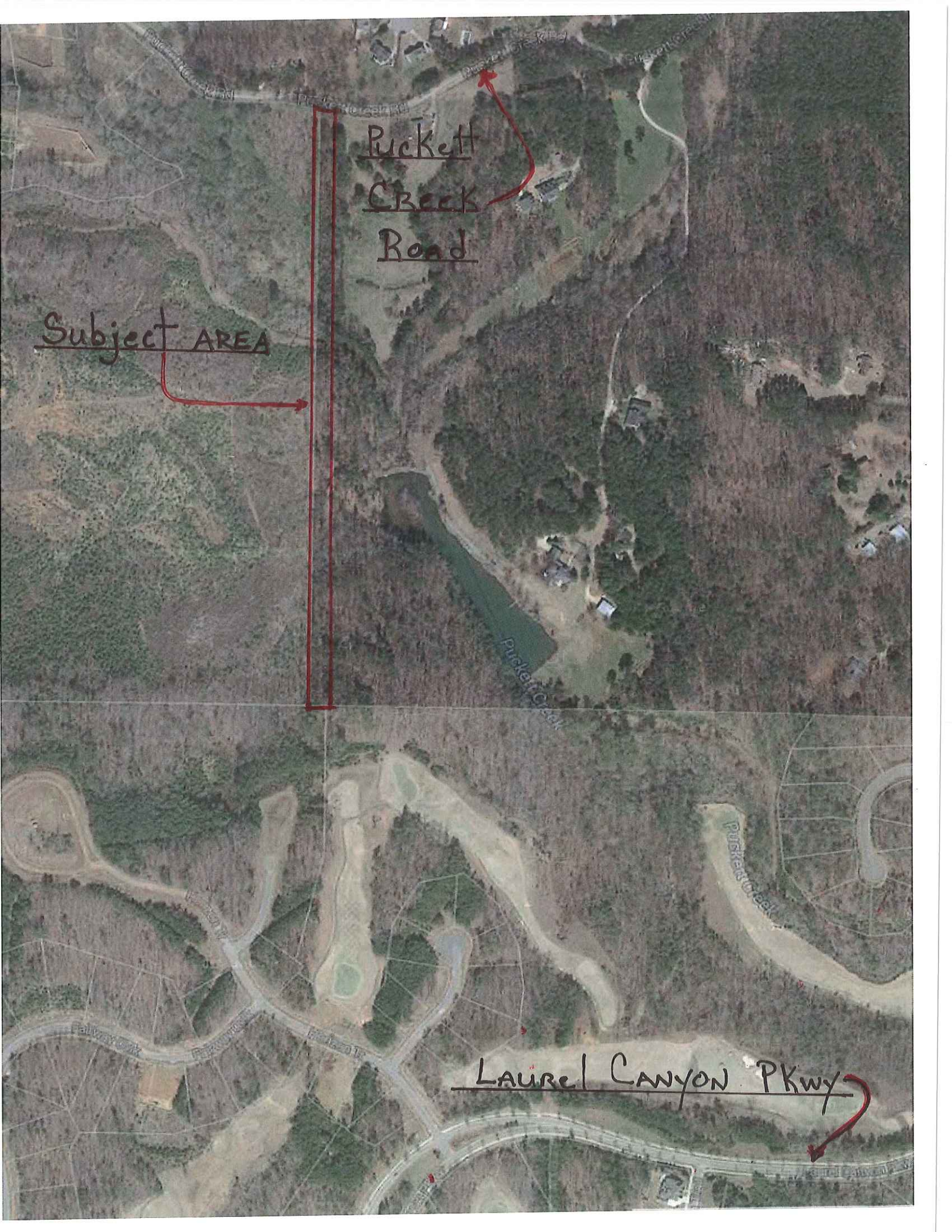
DISCUSSION

CONCURRENCES

FISCAL IMPACT

ALTERNATIVES

Attachments

An aerial photograph of a wooded area. A red rectangle is drawn on the left side, spanning from the top to the middle of the image. A red arrow points from the top of the rectangle to the text 'Puckett Creek Road'. Another red arrow points from the bottom of the rectangle to the text 'Subject AREA'. The text 'Puckett Creek Road' is written in a handwritten style. The text 'Subject AREA' is also written in a handwritten style. The background shows a mix of green trees and brownish ground.

Puckett
Creek
Road

Subject AREA

LAUREL CANYON PKwy

Gene Hobgood, *Mayor*
William Peppers, *City Manager*
Susan C. Stanton, *City Clerk*



City of Canton

151 Elizabeth Street
Canton GA 30114
Phone 770-704-1500
Fax 770-704-1538
www.canton-georgia.com

Sandy McGrew, Ward I, *City Council*
Jo Ellen Wilson, Ward I, *City Council*
Jack Goodwin, Ward II, *City Council*
Bill Grant, Ward II, *City Council*
John R. Rust, Ward III, *City Council*
Farris Yawn, Ward III, *City Council*

June 21, 2016

Lifestyle at Laurel Canyon, LLC
ATTN: Mr. Jay Clark
2849 Paces Ferry Road
Suite 625
Atlanta, GA 30339

Subject: Rezoning request Z1605-001 – Planning Commission recommendation – AG
(Agriculture, Cherokee County) to PD-MU (Planned Development-Mixed Use, City of
Canton)

Dear Mr. Clark:

Please be advised the Planning Commission of the City of Canton recommended approval of the above referenced rezoning request. The recommendation came with the suggested condition that you coordinate the roadway intersection improvements (Proposed road with Puckett Creek Road) with the Cherokee County engineer
Should you have any questions please contact my office at 770-704-1530.

Sincerely,

Steve Green, Zoning Administrator
City of Canton

Cc Z1605-001

Ms. Jill Arnold
1230 Peachtree Street, Suite 1200
Atlanta, GA 30309

ORDINANCE #Z1605-001
REZONING
CITY OF CANTON

Applicant: Lifestyle at Laurel Canyon, LLC

An Ordinance approving the rezoning of the following described property:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 117 of the 14th District, 2nd Section of Cherokee County, Georgia and being more particularly described on the attached legal description labeled as Exhibit "1" and the attached survey labeled as Exhibit "2".

WHEREAS, it is hereby found and determined that an application to change the zoning of the above-described property from AG (Agriculture, Cherokee County) to PD-MU (Planned Development-Mixed Use, City of Canton) was filed with the City of Canton and a public hearing was held on June 20, 2016 at the Canton City Hall, located at 151 Elizabeth Street, Canton, Georgia.

PROPOSED USE: Roadway to serve as a second entrance to serve the development commonly referred to as "Laurel Canyon".

WHEREAS, the Planning Commission of the City of Canton recommended approval of the rezoning application with the following condition: The intersection of the proposed roadway with Puckett Creek Road shall be constructed in compliance with requirements of Cherokee County Engineering Department.

NOW THEREFORE, be it resolved that the Mayor and City Council of the City of Canton does hereby amend the Official Zoning Map to reflect the above referenced property being zoned to PD-MU (Planned Development-Mixed Use).

Adopted this 21st day of July 2016.

Gene Hobgood, Mayor

Attest: _____
Susan Stanton, City Clerk

Approved as to Form and Content:

Robert M. Dyer, City Attorney

First Reading: July 7, 2016

Adopted by Council: July 21, 2016

Approved by Mayor: _____

Veto by Mayor: _____

Second Vote by Council: _____

Effective Date: _____

The legal description of the Property is:

All that tract or parcel of land lying and being in Land Lot 117 of the 14th District, 2nd Section, Cherokee County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a ½" rebar found at the southeast corner of Land Lot 117, said corner being common to Land Lots 117, 118, 135 and 136; Thence along the southerly line of Land Lot 117, North 87 Degrees 30 minutes 00 seconds West, 1134.33 feet to a point, said point being the TRUE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, thence continuing along the southerly line of Land Lot 117, North 87 Degrees 30 Minutes 00 Seconds West a distance of 127.32 feet to a ½" rebar found; thence leaving said land lot line, North 00 Degrees 42 Minutes 29 Seconds East a distance of 1961.24 feet to a ½" rebar found on the southern right of way of Puckett Creek Road (40' right-of-way); thence along said right of way along a curve turning to the left with an arc length of 63.47 feet, with a radius of 448.00 feet, with a chord bearing of South 70 Degrees 08 Minutes 00 Seconds East, with a chord length of 63.42 feet to a ½" rebar found; thence leaving said right-of-way South 00 Degrees 41 Minutes 40 Seconds West a distance of 1009.81 feet to a ½" rebar found; thence South 02 Degrees 36 Minutes 29 Seconds East a distance of 388.50 feet to a point; thence South 13 Degrees 08 Minutes 45 Seconds West a distance of 33.00 feet to a point; thence South 10 Degrees 50 Minutes 21 Seconds West a distance of 10.11 feet to a point; thence South 00 Degrees 54 Minutes 28 Seconds West a distance of 9.20 feet to a point; thence South 07 Degrees 45 Minutes 50 Seconds East a distance of 34.57 feet to a point; thence South 06 Degrees 22 Minutes 06 Seconds East a distance of 110.79 feet to a point; thence South 11 Degrees 42 Minutes 56 Seconds East a distance of 51.83 feet to a point; thence South 02 Degrees 43 Minutes 09 Seconds East a distance of 58.50 feet to a point; thence South 07 Degrees 00 Minutes 50 Seconds East a distance of 58.74 feet to a point; thence South 01 Degrees 30 Minutes 54 Seconds East a distance of 154.81 feet to a point; thence South 11 Degrees 20 Minutes 41 Seconds East a distance of 30.01 feet to a point on the southerly line of Land Lot 117, said point being the TRUE POINT OF BEGINNING; being shown as 3.309 Acres on plat entitled "Survey for Southeast Capital Companies" prepared by Gunnin Land Surveying, LLC, bearing the seal of Jesse R. Gunnin, Georgia RLS #3079, Project No. 15088, dated May 9, 2016.

SURVEY FOR SOUTHEAST CAPITAL COMPANIES

LOCATED IN LAND LOT 117
14th DISTRICT, 2nd SECTION
CHEROKEE COUNTY, GEORGIA

MAY 9, 2016 1"=100'

TOTAL AREA=
3.309 ACRES

CLOSURE STATEMENT

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS AN ANGULAR ERROR OF 2 SECONDS PER ANGLE POINT AND A PRECISION RATIO OF 1 IN 42,855. IT WAS ADJUSTED USING THE COMPASS RULE. THE DATA SHOWN ON THIS PLAT HAS A CLOSURE PRECISION RATIO OF 1 IN 139,831.

GENERAL NOTES

EQUIPMENT USED TO OBTAIN THESE MEASUREMENTS WAS A TOPCON GTS 235W.

BEARINGS ARE CALCULATED FROM ANGLES TURNED FROM A SINGLE GRID BASELINE.

ALL IRON PINS ARE 1/2" REBAR UNLESS OTHERWISE NOTED.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY GPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(NAD83)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

BY GRAPHIC PLOTTING ONLY, THIS SITE IS NOT WITHIN THE LIMITS OF A 100 YR. FLOOD HAZARD AREA AS PER F.I.R.M. CHEROKEE COUNTY, GEORGIA AND INCORPORATED AREAS, COMMUNITY PANEL NO. 13057C 0144 D DATED SEPTEMBER 29, 2008. THIS SITE FALLS WITHIN ZONE "X".

THE SURVEY AND PLAT SHOWN HEREON IS NOT INTENDED FOR USE OR RELIANCE BY ANY PARTIES OR ENTITIES NOT SPECIFICALLY LISTED IN THE TITLE. UNAUTHORIZED THIRD PARTIES SHALL INDEMNIFY AND HOLD GUNNIN LAND SURVEYING, LLC HARMLESS AGAINST ANY AND ALL LIABILITY FOR ANY LOSS ARISING OUT OF, OR RELATED TO, RELIANCE BY ANY THIRD PARTY ON ANY WORK PERFORMED THEREUNDER, OR THE CONTENTS OF THE SURVEY.

ABOVE GROUND UTILITY LOCATIONS WERE OBTAINED FROM FIELD OBSERVATIONS. UNDERGROUND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY.

ABBREVIATIONS

B.L.	BUILDING LINE
C.L.	CENTERLINE
CMP	CORRUGATED METAL PIPE
CT	CRIMPED TOP PIPE
DE	DRAINAGE EASEMENT
E.O.P.	EDGE OF PAVEMENT
FEN	FENCE
L.L.L.	LAND LOT LINE
O.H.	OVERHEAD UTIL. LINE
OT	OPEN TOP PIPE
RCP	REINFORCED CONCRETE PIPE
R.W.	RIGHT OF WAY
SS	SANITARY SEWER
SSE	SANITARY SEWER EASEMENT

SYMBOL LEGEND

●	IPF	1/2" REBAR FND.
●	IPS	1/2" REBAR SET
●	BM	BENCHMARK
●	CB	CABLE BOX
●	CB	CATCH BASIN
■	CMF	CONCRETE MONUMENT FOUND
■	DI	DROP INLET
■	EM	ELECTRIC METER
●	FH	FIRE HYDRANT
●	ICV	IRRIGATION CONTROL VALVE
●	LP	LIGHT POLE
●	OCS	OUTLET CONTROL STRUCTURE
●	PP	POWER POLE
●	CO	SANITARY CLEANOUT
●	MH	SANITARY SEWER MANHOLE
●	JB	STORM JUNCTION BOX
■	TX	TRANSFORMER BOX
■	TSB	TRAFFIC SIGNAL BOX
●	TSP	TRAFFIC SIGNAL POLE
■	TB	TELEPHONE BOX
■	WM	WATER METER
●	WV	WATER VALVE
●	WI	WEIR INLET

DATE	REVISION

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



Gunnin
LAND SURVEYING, LLC

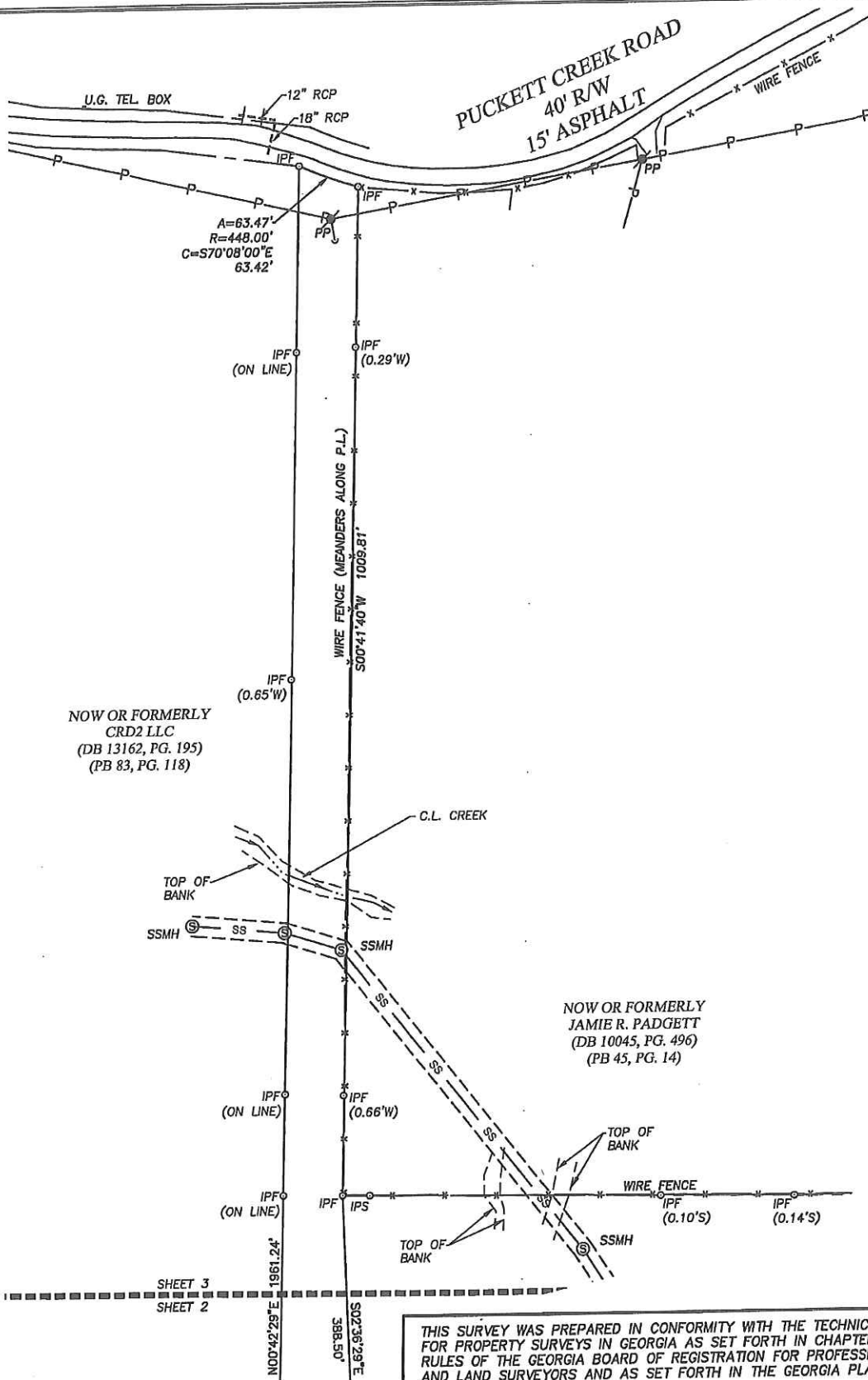
105 MOUNTAIN BROOK DRIVE, SUITE 104
CANTON, GA 30115
Tel: 678.880.7502
Fax: 678.609.4731

www.gunninlandsurveying.com
Land Surveyor Firm License **Exhibit**

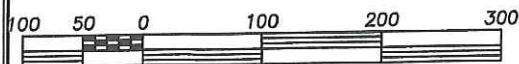
SHEET	OF
1	3

PROJECT NO: 15088
FIELD DATE: 04.03.16
PLAT PREP.: 05.09.16

2



GRID NORTH (GEORGIA WEST ZONE)



1"=100'
SCALE IN FEET

SHEET	OF
3	3

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